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In re Application of
NORDENFELT, et al.
U.S. Application No.: 10/554,027
PCT No.: PCT/SE04/00607
Int. Filing Date: 21 April 2004
Priority Date: 27 April 2003
Attorney Docket No.: 69521-81893
For: METHOD AND APPARATUS FOR ABSOLUTE
OPTICAL ENCODERS WITH REDUCED
SENSITIVITY TO SCALE OR DISK MOUNTING:
ERRORS

COMMUNICATION

This decision is in response to counsel's "Request For Withdrawal as Attorney or Agent And Change of Correspondence Address" filed 29 June 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 21 April 2004, applicant filed the above-captioned international application, which claimed a priority date of 27 April 2003 and designated the United States. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 04 November 2004. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee expired at midnight on 27 October 2005.

On 21 October 2005, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, payment of the U.S. basic national fee, an executed declaration of the inventors, a preliminary amendment, an application data sheet and an information disclosure sheet .

On 29 June 2006, Olivia Tolan filed the present request for permission to withdraw as attorney of record.

DISCUSSION

The criteria for effecting a proper withdrawal of attorney are spelled out in Section 402.06

of the Manual of Patent Examining Procedure (M.P.E.P.) which reads, in part, as follows:

In the event that a notice of withdrawal is filed by an attorney or agent of record... appropriate procedure will be followed pertaining to the withdrawal. The withdrawal is effective when approved rather than when received. To expedite the handling of requests for permission to withdraw as attorney, under 37 CFR 1.36, the request should be submitted in triplicate (original and two copies) and indicate thereon the present mailing addresses of the attorney who is withdrawing and of the applicant. The examining group number should also appear on all such requests. Because the Office does not recognize law firms, each attorney of record must sign the notice of withdrawal, or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another. The Commissioner of Patents and Trademarks usually requires that there be at least thirty days between approval of the withdrawal and the latter of the expiration date of a time response period or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a). This is so that the applicant will have sufficient time to obtain other representation or take other action. Attorney Olivia Tolan has provided a clear indication that the request is being made on her own behalf as she is leaving the firm. Reginald Finn and Timothy Platt remain attorneys of record and the correspondence address remains the same. Since all of the criteria delineated in Section 402.06 of the M.P.E.P. have been complied with the request to withdraw the Power of Attorney/Agent is **GRANTED**.

CONCLUSION

In view of the above discussion, counsel's Request for Withdrawal is **GRANTED**.

A review of the application file finds that applicant has satisfied all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States. This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision



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